

2/4/03

FORM PTO-1449/A and B (Modified)		APPLICATION NO.: 09/337,584	ATTY. DOCKET NO.: C01039.70020.US
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		FILING DATE: June 21, 1999	CONFIRMATION NO.: 9169
		APPLICANT: Krieg et al.	
		GROUP ART UNIT: 1645	EXAMINER: XXXXXXXXXX MINNIFIELD
Sheet 1 of 1			

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
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PETITIONS OFFICE

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		Office/ Country	Number	Kind Code			
mm	B1	WIPO	WO99/11275	A2	The Regents of the Univ. of California	03-11-1999	

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Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)

EXAMINER: <i>N. M. Minfield</i>	DATE CONSIDERED: 1-3-05
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.
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 filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

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 application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier
 application.)



FOR PAGES A and B (Modified)		APPLICATION NO.: 09/337,584	ATTY. DOCKET NO.: C1039.70020US00
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Sheet	1	of	8

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Nita M. Minnifield

1-3-05



FORM 1449/A and 1449/B (Modified)
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet 2 of 8

APPLICATION NO.: 09/337,584

ATTY. DOCKET NO.: C1039.70020US00

FILING DATE: June 21, 1999

CONFIRMATION NO.: 9169

APPLICANT: Krieg et al.

GROUP ART UNIT: 1645

EXAMINER: Nita M. Minnifield

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N M Minnifield 1-3-05



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Sheet 3 of 8		GROUP ART UNIT: 1645	EXAMINER: Nita M. Minnifield

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ATTY. DOCKET NO.: C1039.70020US00

FILING DATE: June 21, 1999

CONFIRMATION NO.: 9169

APPLICANT: Krieg et al.

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Sheet 4 of 8

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FORM PTO-101 (A and B) (Revised)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet 6 of 8

APPLICATION NO.: 09/337,584

ATTY. DOCKET NO.: C1039.70020US00

FILING DATE: June 21, 1999

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AUG 27 2004

FORM PTO-2003/A (Rev. 05/2003 Modified)

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

APPLICATION NO.: 09/337,584

ATTY. DOCKET NO.: C1039.70020US00

FILING DATE: June 21, 1999

CONFIRMATION NO.: 9169

APPLICANT: Krieg et al.

GROUP ART UNIT: 1645

EXAMINER: Nita M. Minnifield

Sheet

7

of

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FORM PTO 369/A and 369/B (modified)

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

APPLICATION NO.: 09/337,584

ATTY. DOCKET NO.: C1039.70020US00

FILING DATE: June 21, 1999

CONFIRMATION NO.: 9169

APPLICANT: Krieg et al.

GROUP ART UNIT: 1645

EXAMINER: Nita M. Minnifield

Sheet 8 of 8

MM	C121	Patent Interference No. 105,171. Miscellaneous Motion 2 (Unopposed Request for Addition to Iowa's File History). April 15, 2004.		
MM	C122	Patent Interference No. 105,171. Iowa Preliminary Motion 3 (For Judgment Based on Failure to Comply with 35 U.S.C. 135(b)) (Electronically filed, unsigned). June 7, 2004.		
MM	C123	Patent Interference No. 105,171. Iowa Preliminary Motion 4 (For Judgment of No Interference in Fact) (Electronically filed, unsigned). June 7, 2004.		
MM	C124	Patent Interference No. 105,171. Iowa Preliminary Motion 5 (For Judgment Based on Lack of Enablement) (Electronically filed, unsigned). June 7, 2004.		
MM	C125	Patent Interference No. 105,171. Iowa Preliminary Motion 6 (For Judgment Based on Lack of an Adequate Written Description) (Electronically filed, unsigned). June 7, 2004.		
MM	C126	Patent Interference No. 105,171. Iowa Preliminary Motion 7 (Motion to Redefine the Interference to Designate Claims as Not Corresponding to the Count) (Electronically filed, unsigned). June 7, 2004.		
MM	C127	Patent Interference No. 105,171. Iowa Preliminary Motion 8 (Contingent Motion to Redefine Count) (Electronically filed, unsigned). June 7, 2004.		
MM	C128	Patent Interference No. 105,171. Iowa Preliminary Motion 9 (Motion for Benefit of Earlier Application) (Electronically filed, unsigned). June 7, 2004.		
MM	C129	Patent Interference No. 105,171. Iowa Preliminary Motion 10 (Contingent Motion to Redefine the Interference By Adding A Continuation Application) (Electronically filed, unsigned). July 2, 2004.		
MM	C130	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 1 (To Designate Additional Claims of the Iowa Patent as Corresponding to the Count). June 7, 2004.		
MM	C131	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 2 (For Judgment Based on Lack of Written Description Support and Introducing New Matter). June 7, 2004.		
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MM	C133	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 4 (For Judgment Based on Obviousness). June 7, 2004.		
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MM	C136	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 7 (For Benefit of an Earlier Application under 37 CFR 1.633(j)). July 2, 2004.		
MM	C137	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 8 (To Add Additional Claims Under 37 CFR 1.633(c)(2) and (j)). July 2, 2004.		
MM	C138	Amended Claims for Application Number 09/337,584, filed March 10, 1999.		

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FORM PTO-1449/A and B (Modified)				APPLICATION NO.: 09/337,584	ATTY. DOCKET NO.: C1039.70020US00
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				FILING DATE: June 21, 1999	CONFIRMATION NO.: 9169
				APPLICANT: Arthur M. Krieg et al.	
				GROUP ART UNIT: 1645	EXAMINER: Nita Minniefeld
Sheet	1	of	1		

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

OTHER ART — NON PATENT LITERATURE DOCUMENTS

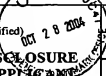
Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
<i>mm</i>	C1	Hogg, J.C., "The pathology of asthma." Review article. <i>APMIS</i> 105: 735-745, 1997.	
<i>mm</i>	C2	Krieg, A.M., "Immune effects and mechanisms of action of CpG motifs" <i>Vaccine</i> 19 (2001) 618-622	
<i>mm</i>	C3	Speigelberg, H.L. et al., "DNA-based approaches to the treatment of allergies" <i>Curr. Op. In Mol Therap.</i> (2002) 4(1):64-71	
<i>mm</i>	C4	Robinson, D.S. et al., "Predominant T _H 2-Like Bronchoalveolar T-Lymphocyte Population In Atopic Asthma" <i>N Engl J Med</i> 1992; 326:298-304	

EXAMINE R: <i>N-M. Minniefeld</i>	DATE CONSIDERED: <i>1-3-05</i>
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*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]



FORM PTO-1449/A and B (Modified)		APPLICATION NO.: 09/337,584	ATTY. DOCKET NO.: C1039.70020US00
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		FILING DATE: June 21, 1999	CONFIRMATION NO.: 9169
		APPLICANT: Krieg et al.	
Sheet	1	of	3
		GROUP ART UNIT: 1645	EXAMINER: Nita M. Minnifield

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
<i>mm</i>		2004-0142469	A1	Krieg et al.	07-22-2004
<i>mm</i>		2004-0143112	A1	Krieg et al.	07-22-2004
<i>mm</i>		2004-0147468	A1	Krieg et al.	07-29-2004
<i>mm</i>		2004-0152649	A1	Krieg	08-05-2004
<i>mm</i>		2004-0152656	A1	Krieg et al.	08-05-2004
<i>mm</i>		2004-0152657	A1	Krieg et al.	08-05-2004
<i>mm</i>		2004-0162258	A1	Krieg et al.	08-19-2004
<i>mm</i>		2004-0162262	A1	Krieg et al.	08-19-2004
<i>mm</i>		2004-0167089	A1	Krieg et al.	08-26-2004
<i>mm</i>		2004-0171150	A1	Krieg et al.	09-02-2004
<i>mm</i>		2004-0171571	A1	Krieg et al.	09-02-2004
<i>mm</i>		2004-0181045	A1	Krieg et al.	09-16-2004
<i>mm</i>		2004-0198688	A1	Krieg et al.	10-07-2004

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
<i>mm</i>		Patent Interference No. 105,171, Iowa Opposition 1 (opposition to motion to designate additional claims as corresponding to the Count) (Electronically filed, unsigned). September 9, 2004.	
<i>mm</i>		Patent Interference No. 105,171, Iowa Opposition 2 (opposition to motion for judgment based on lack of written description support and introducing new matter) (Electronically filed, unsigned). September 9, 2004.	
<i>mm</i>		Patent Interference No. 105,171, Iowa Opposition 3 (opposition to motion for judgment based on anticipation) (Electronically filed, unsigned). September 9, 2004.	
<i>mm</i>		Patent Interference No. 105,171, Iowa Opposition 4 (opposition to motion for judgment based on obviousness) (Electronically filed, unsigned). September 9, 2004.	
<i>mm</i>		Patent Interference No. 105,171, Iowa Opposition 5 (opposition to motion for judgment based on anticipation) (Electronically filed, unsigned). September 9, 2004.	
<i>mm</i>		Patent Interference No. 105,171, Iowa Opposition 6 (opposition to motion for judgment based on inequitable conduct) (Electronically filed, unsigned). September 9, 2004.	
<i>mm</i>		Patent Interference No. 105,171, Iowa Opposition 7 (opposition to motion for benefit of an earlier application under 7 CFR 1.633(g)) (Electronically filed, unsigned). September 9, 2004.	
<i>mm</i>		Patent Interference No. 105,171, Iowa Opposition 8 (opposition to motion to add additional claims under 37 CFR 1.633 (2) and (i)) (Electronically filed, unsigned). September 9, 2004.	
<i>mm</i>		Patent Interference No. 105,171, Regents of the University of California Opposition 3 (to Iowa Preliminary Motion 3 for judgment under 35 USC 135(b)). September 9, 2004.	
<i>mm</i>		Patent Interference No. 105,171, Regents of the University of California Opposition 4 (to Iowa Preliminary Motion 4 for judgment of no interference in fact). September 9, 2004.	
<i>mm</i>		Patent Interference No. 105,171, Regents of the University of California Opposition 5 (to Iowa Preliminary Motion 5 for judgment that UC's claim is not enabled). September 9, 2004.	
<i>mm</i>		Patent Interference No. 105,171, Regents of the University of California Opposition 6 (to Iowa Preliminary Motion 6 for judgment based on lack of adequate written description). September 9, 2004.	

DO NOT PRINT

FORM PTO-1449/A and B (Modified)		APPLICATION NO.: 09/337,584	ATTY. DOCKET NO.: C1039.70020US00
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		FILED DATE: June 21, 1999	CONFIRMATION NO.: 9169
APPLICANT: Krieg et al.		EXAMINER: Nita M. Minnifield	
Sheet	2 of 3	GROUP ART UNIT: 1645	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

mm	Patent Interference No. 105,171. Regents of the University of California Opposition 7 (to Iowa Preliminary Motion 7 to redefine the interference). September 9, 2004.		
mm	Patent Interference No. 105,171. Regents of the University of California Opposition 8 (to Iowa Preliminary Motion 8 to redefine the Count). September 9, 2004.		
mm	Patent Interference No. 105,171. Regents of the University of California Response 9 (to Iowa Contingent Motion 9 for benefit). September 9, 2004.		
mm	Patent Interference No. 105,171. Regents of the University of California Opposition 10 (to Iowa Contingent Motion 10 to redefine the interference). September 9, 2004.		
mm	Patent Interference No. 105,171. Iowa Reply 3 (in support of Iowa Preliminary Motion 3 for judgment under 35 U.S.C. §135(b)) (Electronically filed, unsigned). October 15, 2004.		
mm	Patent Interference No. 105,171. Iowa Reply 4 (in support of Iowa Preliminary Motion for judgment or no interference in fact) (Electronically filed, unsigned). October 15, 2004.		
mm	Patent Interference No. 105,171. Iowa Reply 5 (in support of Iowa Preliminary Motion 5 for judgment that UC's claim 205 is not enabled) (Electronically filed, unsigned). October 15, 2004.		
mm	Patent Interference No. 105,171. Iowa Reply 6 (in support of Iowa Preliminary Motion 6 for judgment based on lack of adequate written description) (Electronically filed, unsigned). October 15, 2004.		
mm	Patent Interference No. 105,171. Iowa Reply 7 (in support of Iowa Preliminary Motion 7 to redefine the interference) (Electronically filed, unsigned). October 15, 2004.		
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mm	Patent Interference No. 105,171. Iowa Reply 10 (in support of Iowa Preliminary Motion 10 to redefine the interference) (Electronically filed, unsigned). October 15, 2004.		
mm	Patent Interference No. 105,171. Regents of the University of California Reply 1 (to Iowa's opposition to UC's motion to designate Iowa claims as corresponding to the Count). October 15, 2004.		
mm	Patent Interference No. 105,171. Regents of the University of California Reply 2 (to Iowa's opposition to UC Preliminary Motion 2 for judgment). October 15, 2004.		
mm	Patent Interference No. 105,171. Regents of the University of California Reply 3 (to Iowa's Opposition to UC Preliminary Motion 3 for judgment). October 15, 2004.		
mm	Patent Interference No. 105,171. Regents of the University of California Reply 4 (to Iowa's Opposition to UC Preliminary Motion 4 for judgment). October 15, 2004.		
mm	Patent Interference No. 105,171. Regents of the University of California Reply 5 (to Iowa's Opposition to UC Preliminary Motion 5 for judgment). October 15, 2004.		
mm	Patent Interference No. 105,171. Regents of the University of California Reply 6 (to Iowa's opposition to UC Preliminary Motion 6 for judgment). October 15, 2004.		
mm	Patent Interference No. 105,171. Regents of the University of California Reply 7 (to Iowa's Opposition to UC Preliminary Motion 7 for Benefit). October 15, 2004.		
mm	Patent Interference No. 105,171. Regents of the University of California Reply 8 (to Iowa's Opposition to UC Preliminary Motion 8 to add additional claims). October 15, 2004.		
mm	CAPRON et al., Immunologic aspects of schistosomiasis. Annu Rev Med. 1992;43:209-18. Review. Exhibit 2068.		
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mm	TOKUNGA, Response of the organism to DNA — With a focus on immunostimulatory DNA. Kansan Ensho Meneki. 2001 Autumn; 31(3): 1-12. Japanese. Exhibits 1048 and 1049.		Yes

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NM Minnifield

1-4-05

DO NOT PRINT

FORM PTO-1449/A and B (Modified)		APPLICATION NO.: 09/337,584	ATTY. DOCKET NO.: C1039.70020US00
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		FILING DATE: June 21, 1999	CONFIRMATION NO.: 9169
		APPLICANT: Krieg et al.	
Sheet	3 of 3	GROUP ART UNIT: 1645	EXAMINER: Nita M. Minnifield

OTHER ART — NON PATENT LITERATURE DOCUMENTS

<i>mm</i>	VLASOV et al., Oligonucleotides in cells and in organisms: pharmacological considerations. <i>in</i> Prospects for Antisense Nucleic Acid Therapy of Cancer and AIDS. 1991: 243-66.		
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EXAMINER: <i>N M Minnifield</i>	DATE CONSIDERED: <i>1-3-05</i>
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#EXAMINER: Initial if reference considered, whether or notation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE: The Office hereby waives the requirement under 37 CFR 1.98 (x)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an IDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]